

EMPLOYER FITNESS PROGRAMS: HEALTH OF HEADACHES?

News

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The article, "Employer Fitness Programs: Health of Headaches?" featured in *Legal News*, highlighted the rise of on-site gyms in the workplace as employers try to attract top workers.

Ed offered commentary on the expenses and legalities employees should consider before offering the perk of an on-site gym.

Ed said paying for gym memberships could be the best route, since any injuries suffered while working out would be between the gym and the employee.

But if an employee gets hurt at an on-site gym, the circumstances could dictate varying outcomes.

Although worker's compensation laws protect Louisiana employers from on-the-job injury lawsuits, "The main question becomes whether (the activity) is within the course and scope of employment," Ed said.

"Worst case scenario, it would not be considered in the course and scope of employment and you could get sued outside workers' compensation (laws), which could really hurt," he said.

When it comes to asking employees to sign a waiver, Ed said the form "is pretty much legally unenforceable."

He advised business owners to talk with their insurance agent to understand how a gym or wellness program affects their coverage. Use of the facility should be limited to employees, who are covered by worker's compensation

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laws, and employers need direction on how to build an on-site gym before incurring the time and expense.

To read the full article, please visit [Legal News](#).